

IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.18822 of 2008
SANJAY SAO @ SANJAY KUMAR SAH Versus STATE OF BIHAR & ANR

Cr.Misc. No.17443 of 2008
VIDYA NAND SAH & ORS Versus THE STATE OF BIHAR

4. 10.11.2008 Heard the learned Counsel for the petitioners and the learned counsel for the State.

The petitioner in Cr. Misc. No. 18822 of 2008 is the husband. The surviving petitioner no. 2 in Cr. Misc. No. 17443 of 2008 is the mother-in-law. They apprehend arrest in a complaint case under Sections 498A of the Penal Code and Section 4 of the Dowry Prohibition Act.

That the opposite party no. 2 may have chosen not to appear despite valid service of notice does not persuade this Court to grant the privilege of anticipatory bail in so far as petitioner in Cr. Misc. No. 18822 of 2008 is concerned in view of the allegations in Para 3 of the complaint of physical assault leading to bleeding requiring treatment in hospital. The application is rejected in so far as he is concerned.

Considering that the petitioner no. 2 in Cr. Misc. No. 17443 of 2008 namely Asha Devi is the mother-in-law with generalised allegations, let her surrender in the court below within a period of four weeks from today when she shall be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of SDJM Nawada in Complaint Case No. 544 of 2006.

Snkumar/-

(Navin Sinha,J.)

